

### REMARKS

In the outstanding official action, claims 1-8 were rejected under 35 USC 102(e) as being anticipated by Jung et al, for the reasons of record. It was suggested in the Action that, using claim 1 as a representative example, Jung teaches a record carrier in which, *inter alia* the part for distinguishing the synchronization patterns consists of the bit sequence 100 101 or of the bit sequence 010 101, as supported by the disclosure in paragraph [0030] and Table 1. In response, it is respectfully submitted that claims 1-8, as herewith amended in order to more particularly and precisely recite the instant invention, are clearly patentably distinguishable over the cited and applied reference for the reasons detailed below.

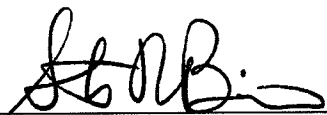
More particularly, the Jung reference, and in particular the cited portions thereof, teach a multiplicity of bit sequences, including both the specific sequences required by the instant invention as well as numerous bit sequences. It is respectfully submitted that such a teaching does not anticipate the instant invention since what is recited is that the part for distinguishing the synchronization patterns consists of (rather than comprises) the specific recited bit sequences. It is well recognized that the recitation "consists of" differs from the recitation "comprising" in that only the recited elements and not any others may be present. Such a limitation is clearly not met by the cited and

applied reference, which clearly permits a multiplicity of other possible bit sequences.

Additionally, in order to more clearly and precisely recite this distinction, all of the claims have been herewith amended to recite that the part for distinguishing the synchronization patterns consists only of the recited bit sequences, thus making the aforementioned distinction crystal clear.

In view of the foregoing amendments and remarks, it is respectfully submitted that claims 1-8 as herewith amended, are clearly patentably distinguishable over the cited and applied reference. Accordingly, allowance of the instant application is respectfully submitted to be justified at the present time and favorable consideration is earnestly solicited.

Respectfully submitted,

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